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August
16, 2021
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C.R.R. No.678 of 2012
(Via Video Conference)

In Re: An application under Section 401 of the Code of Criminal
Procedure, 1973.

Jiban Marandi
Versus
State of West Bengal and Anr.

Mr. Priyabrata Batabyal.
...for the petitioner.

The revisional application was preferred against the order dated 30th November, 2011 passed by the learned Judicial Magistrate, 1st Court, Suri, Birbhum wherein the learned Magistrate was pleased to modify and enhance the amount of monthly allowance from Rs.3,000/- per month to Rs.5,000/- per month.

Learned advocate appearing for the petitioner has submitted that, pursuant to the order dated 16.3.2012, the petitioner had been paying Rs.3,000/- per month to his wife.

Having regard to the present cost of living and the fact that the said order was passed in the year 2011 and ten years have passed since then, I am of the view that the amount of Rs.5,000/- per month so awarded by the learned Magistrate at least today is not exorbitant.

As submitted by the petitioner that the petitioner is complying with the earlier interim order, I direct that the petitioner will pay an amount of Rs.5,000/- per month to the wife (opposite party No.2 herein) from the month of September, 2021. This order is subject to implementation, if in the meantime, the learned

Magistrate has not passed any fresh order regarding the quantum of maintenance.

With the aforesaid observations, CRR 678 of 2012 is disposed of.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)